



CITY OF POMONA

COUNCIL REPORT

May 19, 2025

To: Honorable Mayor and Members of the City Council

From: Anita D. Scott, City Manager

Submitted By: René Anderson, Human Resources/Risk Management Director

SUBJECT: DISCUSSION OF PROPOSED RECOMMENDATIONS AND SCOPE OF WORK FOR THE CITY'S ETHICS COMMISSION

RECOMMENDATION:

It is recommended that the City Council provide direction to proceed with the proposed scope of work recommendations submitted by the City's Ethics Commission with implementation to be carried out in coordination with the City Manager.

EXECUTIVE SUMMARY:

On June 18, 2024, the Ethics Commission held its first Special Meeting. Since then, the Commissioners have worked collaboratively to develop recommendations defining the scope of work, including the Commission's functions and authority. City Council concurrence is required to move forward with these recommendations and to ensure alignment with the City's governance framework. This action will enable the Ethics Commission to formally begin its work in support of transparency, accountability, and ethical governance.

SB1439/GOVERNMENT CODE §84308 APPLICABILITY:

☐ When this box is checked, it indicates the agenda item is subject to the Levine Act SB1439 requirements. Councilmembers are reminded to check their campaign contributions and determine whether they have received a campaign contribution of \$500 or more that would require disclosure and/or recusal from discussing or acting on this agenda item. Campaign contributions of \$500 or more made 1) by any person or entity who is identified in the agenda report as the applicant or proposer or 2) on behalf of the applicant or participant, including a parent, subsidiary or otherwise related business entity, or 3) by any person who has a financial interest in the agenda item requires a councilmember to comply with SB1439.

FISCAL IMPACT:

No fiscal impact at this time.

PREVIOUS RELATED ACTION:

At the November 8, 2022, General Municipal Election, the voters in Pomona approved to create an Ethics Commission through a new amendment to the City Charter. On September 18, 2023, Ordinance No. 4337 was passed, approved, and adopted, which amended the City Charter to create an Ethics Commission.

DISCUSSION:

According to Section 2-803 of Ordinance No. 4337, the Ethics Commission currently has following duties and responsibilities:

“The Commission shall have the powers, duties and responsibilities set forth in this Division 8 and elsewhere in the City Charter which provides that the Commission shall monitor and advise on applicable governmental ethics laws as set forth in State law, the City Charter or City ordinance, regulation or policy, including but not limited to campaign finance limits and disclosure, nepotism, lobbying, conflict of interest and open meeting laws, to assure fairness, openness, honesty and integrity in City government, including compliance by the City of Pomona, its elected officials, officers, employees, boards and commissions with said laws, regulations or policies; and 2) educate and respond to issues regarding the aforementioned laws, regulations, and policies.”

Much progress has been made by the Ethics Commission and Liaison Staff since its first meeting in June 2024. A Fraud, Waste, and Abuse Hotline and email has been established by City staff, as a reporting mechanism for Elected Officials, Commissioners, employees, and the general public to report matters of concern. A website is under development for the Ethics Commission to have a landing page similar to other commissions. Ethics is now being discussed in every New Employee Orientation. Additionally, in-person Ethics training is scheduled for Elected Officials, Commissioners, and employees to occur later this year.

Two (2) Commission Sub-Committees were formed to address initiatives and the possible direction of the Ethics Commission. The Ad-Hoc Policy Sub-Committee formed and prepared recommendations to the City Council on the Ethics Commission Scope of Work (Attachment No. 1). The recommendation requests City Council approval for the Ethics Commission to update the Code of Ethics policy, and additional rules and expectations of this Commission. Where the City Charter does not define the investigate power or process for the Ethics Commission, the attached recommendation requests City Council approval for a collaborative effort between Commission, Liaison Staff, and City Clerk's Office to develop and implement an Ethics Enforcement Policy, applicable to Elected Officials and Commissioners. Lastly, the recommendations of the Ethics Commission include the request for designation as the City's central point for advice and oversight of controversial campaign matters and or concerns raised by the general public related to matters for Elected Officials and Commissioners.

The Ad-Hoc Policy Sub-Committee met twice with the City Manager and determined that the Ethics Commission would refrain from involvement in matters pertaining to City personnel,

especially those represented by bargaining units. These bargaining units have established guidelines, within the respective Memorandums of Understanding (MOUs), that govern the manner in which employees' discipline is addressed. Staff supports the initiatives advanced by the Ethics Commission and affirms that any determination regarding whether an investigation will be conducted, how it will proceed, and who will lead it rests solely with the City Manager—unless the allegation involves the City Manager. In such cases, the Mayor and City Council will provide direction to the Human Resources/Risk Management Director on the appropriate course of action. Additionally, Staff encourages Council to limit the authority of enforcement over elected officials and Commissioners, and any other policy this commission develops, to limit enforcement within the applicable laws that allow fines, penalties, etc.

Prepared by:

René Anderson
Human Resources/Risk Management Director

ATTACHMENTS:

- 1) Attachment No. 1 – Recommendations to the Pomona City Council from the Pomona Ethics Commission